

SECTION XVIA. SITE PLAN APPROVAL.

A. SCOPE AND PURPOSE.

~~—This Section is adopted by the Town to provide a comprehensive review procedure for construction projects as hereinafter defined, (excluding Minor Construction Projects (as herein defined) and Major Construction Projects (as herein defined) are subject to comprehensive review in accordance with the terms of this section. This section shall not apply to construction, alteration, enlargement or reconstruction of any single one-family or two-family building, dwellings or building or structures accessory thereto, unless in a designated such one-family or two-family dwelling is located in a Flood Plain or Watershed Protection District) for the purposes of:~~

This section shall be interpreted so as to:

1. ~~Insuring~~Insure compliance with the Zoning Bylaws of the Town of Wellesley;
2. Protecting the safety, convenience and welfare of the public;
3. ~~Minimizing~~Minimize additional congestion in public and private ways;
4. ~~Insuring~~Insure adequate provision for water, sewerage and drainage;
5. ~~Insuring~~Insure compliance with the provisions of SECTION XVI. RESTRICTIONS AFFECTING ALL DISTRICTS.;
6. ~~Insuring~~Insure compliance with the provisions of SECTION XXI. OFF-STREET PARKING.; and
7. ~~Insuring~~Insure compliance with the provisions of SECTION XXII. DESIGN REVIEW.

B. ~~—~~ Part 1 PRINICIPAL DEFINITIONS.

Construction Project - ~~the term~~shall mean projects subject to review under this Section XVIA, and shall include phased or segmented projects where a series of two or more projects on a single parcel, lot or development area, for which building permits are filed within a three-year period are, in the opinion of the Inspector of Buildings, components or segments of a single project.

Development Area means a parcel or contiguous parcels which are under one ownership.

Major Construction Project

~~Any~~ shall mean any construction project which involves a change in the outside appearance of a building or buildings or premises, and includes one or more of the following:

1. construction of twenty-five hundred (2,500) or more square feet gross floor area;
2. an increase in gross floor area by fifty (50) percent or more which results in a gross floor area of at least twenty-five hundred (2,500) square feet;
3. grading or regrading of land to planned elevations, and/or removal or disturbance of the existing vegetative cover, over an area of five thousand (5,000) or more square feet;
4. any activities regulated or restricted under SECTION XIVB. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS.; or
5. any activities regulated under SECTION XIVE, WATER SUPPLY PROTECTION DISTRICTS.

~~Minor Construction Project~~

~~Any~~ shall mean any construction project, not included within the definition of a major construction project, which involves either or both of the following:

1. a change in the outside appearance of a building or premises, visible from a public or private street or way, requiring a building permit;
2. construction, enlargement or alteration* of a parking or storage area requiring a parking plan permit.

~~*~~ Alteration, as used in the preceding phrase, includes installation, removal or relocation of any curbing, landscaping or traffic channelization island, driveway, storm drainage, lighting or similar facilities but does not include resurfacing, striping or restriping pavement markings on existing parking or storage areas.

~~Development Area~~

~~A parcel or contiguous parcels which are under one ownership.~~

~~Project of Significant Impact (PSI)~~

~~Any~~ means any construction project:

- a. ~~having an aggregate total of:~~

1. newly constructed floor area of 10,000 or more square feet; or

b. ~~having an aggregate total of~~ 2. renovated, altered and/or replacement floor area of 15,000 or more square feet in a building having 15,000 or more square feet of ground coverage to provide for a use which is different from the existing use as determined by the Commonwealth of Massachusetts Property Type Classification Codes (April 1991 edition).

~~Roadway Impacted by Development Traffic~~

~~A roadway segment, including one or more approaches to an intersection, over which 30~~

B. PART 2 ADDITIONAL DEFINITIONS FOR TRAFFIC REVIEWS

Annual Average Daily Traffic (AADT) – The total yearly volume of automobiles and trucks divided by the number of days in the year.

Average Daily Traffic (ADT) - The calculation of averaged traffic volumes in a time period greater than one day and less than one year. Usually ADT is determined based on a representative (no holidays or unusual weather related circumstances) 7 day week.

Design Hourly Volume – (DHV) – The one-hour volume in the design year selected for determining the highway design (typically the worst-case weekday morning or evening peak hour or the 30th highest hour of the year).

K-Factor (K) – The percent of daily traffic (ADT) that occurs during the peak hour (PH).

Level of Service – A quantitative measure of traffic congestion identified by a declining letter scale (A-F) promulgated by the Institute of Transportation Engineers (ITE) and used by the Massachusetts Highway Department, traffic engineers and traffic planning professionals.

Peak-Hour Traffic (PH) – The highest number of vehicles passing over a section of highway during 60 consecutive minutes. The term T(PH) may be used to designate the PH for truck traffic only.

Peak-Hour Factor (PHF) – a ratio of the total volume occurring during the peak hour to the maximum rate of flow during a given time period within the peak hour (typically 15 minutes duration).

Roadway Impacted by Development Traffic – A roadway segment, including one or more approaches to an intersection, shall be considered as impacted if traversed by 20 or more vehicles related to the ~~development parcel travel project~~ in a single direction during any single hour: and it:

1. is a signalized intersection and ADT or PH will increase by 5% or more; or
2. is an unsignalized intersection with a minor street approach PH of 50 or more vehicles; or
3. is substandard in terms of structure, pavement surface, or other deficiencies; or
4. exhibits safety problems as identified by the Town Engineer, Town Traffic Engineer or other qualified professional as determined by the Planning Board.

C. APPLICABILITY AND PROCEDURE.

1. Design Review. Minor Construction Projects, Major Construction ~~Project~~ (Site Plan Review) Projects, and Projects of Significant Impact are subject to Design Review), as follows:

Plans and other submission materials ~~conforming to as specified on the adopted "Procedures"~~ Application for Applications to the Special Permit Granting Authority" (SPGA), (as filed Design Review" along with the ~~Town Clerk), completed application~~ shall be submitted to the ~~SPGA~~ Design Review Board for its written ~~approval~~ advisory design recommendations in accordance with SECTION XXII. Within twenty-one (21) days of submission, copies of the written design recommendations shall be sent by the Design Review Board to the Building Inspector, Planning Board and the applicant. No building permit or parking plan permit shall be issued by the Building Inspector within this twenty-one (21) day period unless said recommendations are sooner received.

2. Site Plan Review. In addition to Design Review in accordance with the preceding section, Major Construction Projects and Projects of Significant Impact are subject to Site Plan Review, as follows:

- a. The applicant shall submit to the Zoning Board of Appeals ("ZBA") plans and other submission materials in accordance with the procedures for Special Permits adopted by the ZBA pursuant to SECTION XXV: of this Zoning Bylaw. Within seven (7) days from the date of its submission to the ~~SPGA~~ ZBA, copies of the complete application as submitted shall be referred by the ~~SPGA~~ ZBA to the Board of Health, Planning Board, Design Review Board, Town Engineer, Wetlands Protection Committee, and any other Town agencies or boards designated by the ~~SPGA~~ ZBA, for review and preparation of written recommendations to the ~~SPGA~~ ZBA, Building Inspector and the applicant prior to the required public hearing. Said written recommendations shall be attached to and become part of the application.

- b. No decision shall be made by the SPGAZBA in connection with any application until the above referenced written recommendations have been received or thirty-five (35) days shall have elapsed after such referral of the application without a recommendation being received. The SPGAZBA may modify such plans to meet the requirements of this Section, and as modified, approve the same, or may disapprove the plans. No building permit or parking plan permit shall be issued by the Building Inspector without the written approval of plans as herein above provided.

~~Minor Construction Project—(~~
3. Special Permit for Projects of Significant Impact. In addition to Design Review)

~~Plans and other submission materials conforming to the adopted "Procedures for Applications to the Special Permit Granting Authority", (as filed with Site Plain Review in accordance with the Town Clerk), shall be submitted to the Design Review Board for its written advisory design recommendations in accordance with SECTION XXII. Within twenty one (21) days of submission, copies of the written design recommendations shall be sent by the Design Review Board to the Building Inspector, Planning Board and the applicant. No building permit or parking plan permit shall be issued by the Building Inspector within this twenty one (21) day period unless said recommendations are sooner received.~~
preceding sections, Projects of Significant Impact (PSI), require a Special Permit issued by the Planning Board, as follows:

Project of Significant Impact (PSI) (Special Use Permit, Site Plan Review and Design Review)

a. The applicant shall submit to the Planning Board a Municipal Systems (water, sewer, electric, storm drain, streets, sidewalks, fire alarm, refuse disposal, footways and intersections) Impact Analysis:

~~A municipal systems impact analysis, prepared by professional engineers registered in the Commonwealth of Massachusetts shall be submitted to the Planning Board. The water, sewer, fire alarm, refuse disposal, and identifying the impact of the Construction Project on water, sewer, storm drainage, electric, traffic, intersections, sidewalks and footways, building occupant life safety, refuse disposal and recycling. The water, sewer, and storm drainage portions shall be prepared by engineers having expertise in civil engineering; the electric portion shall be prepared by engineers having expertise in electrical engineering; the streets, sidewalks, footways and intersection traffic and pedestrian safety and bicycle safety portions shall be prepared by engineers having expertise in traffic and transportation engineering.~~

- b. The intent of the analysis is to determine the impact on the Town's existing capital infrastructure in order to assess costs of providing or upgrading Town public facilities which will benefit a PSI.

c. The ~~analysis~~Municipal Systems Impact Analysis shall include:

~~1. existing capacities of~~

1) Utility Capacity

including water, sewer, storm drain and electric distribution systems
before construction and at expected occupancy date;

~~2. existing traffic conditions, and traffic conditions at the projected time of occupancy at
present connections to the street system and intersecting streets bordering the development area,
including average daily and peak hour volumes;~~

2) Traffic

identification of existing traffic and anticipated traffic at time of full
project occupancy at existing and proposed roadway segments and
intersections, existing and proposed site connections to the street system,
and streets bordering, supporting, and connecting the development
including:

a) vehicle speed along the bordering streets;

b) 85th percentile vehicle speed;

c) sight distances along bordering streets, accident data, existing
traffic controls and levels of service (LOS);

3.d) existing safety records including accident data;

e) description of existing traffic controls;

f) Annual Average Daily Traffic;

g) Average Daily Traffic

h) Peak-Hour Traffic (morning, afternoon and other peak(s));

i) Peak-Hour Factor;

j) Design Hourly Volume;

k) K- Factor;

l) Levels of Service (LOS);

m) Project generated traffic and its distribution;

n) Volume to Capacity Ratio;

o) Average Delay;

p) Average and 95th Percentile Queue Lengths;

q) Roadways Impacted by Development Traffic;

r) Delay and Gap Study (when deemed necessary by the Town's
traffic engineering consultant); and

s) Data Calibration.

Evaluations shall be made in accordance with the current MHD Design
Guide, the elements listed above and standards adopted by the Board of
Selectmen.

identification of roadways impacted by development traffic;

4. estimated traffic impacts of the proposed development in terms of the amount of morning and afternoon peak hour and total daily traffic generated by the development on streets bordering the development area; sight lines from access connections; proposed changes to traffic controls; and projected levels of service of intersections identified in item 3. above and at points of connection of the development area to the street system;

5. ~~3)~~ Pedestrian and Bicycle Safety

possible hazardous pedestrian and bicycle crossings; a detailed identification of gaps in the sidewalk network and identification of cracking, deterioration, heaving, sinking, shifting, patching and missing sections and intrusion or encroachment of vegetation and other obstructions into the sidewalk area within a walking distance of 600 feet from the development area and along walking routes to the nearest public transportation station(s) or boarding point(s) if such facilities exists within one mile of the development site; identification of sidewalk links or connections to surrounding neighborhoods. Pedestrian crosswalks, traffic control devices and traffic calming measures will be part of the safety analysis.

6. ~~4)~~ Building Occupant Life Safety

identification of proposed use and occupancy and characteristics of the occupants, building contents, equipment and materials on site; identification of possible hazards and hazard scenarios; proposed comprehensive emergency plan which shall include an evacuation plan and a shelter-in-place plan; anticipated impact on municipal fire alarm systems;

7. ~~5)~~ Refuse Disposal and Recycling

anticipated impact on the Town's refuse disposal and recycling system.

Special Permit for Projects of Significant Impact.

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- d. No decision shall be made by the Planning Board acting as SPGA in connection with any ~~application for approval of a project of significant impact~~properly completed application until ~~the municipal systems analysis~~it has been referred to, reviewed and approved by the ~~Board~~four review departments (Department of Public Works for the water, sewer, storm drain ~~and~~, refuse ~~disposal portions by the and recycling elements;~~ Municipal Light ~~Board~~Plant for the electric ~~portion, by the element,~~ Fire ~~Chief~~Department for ~~the municipal~~ fire alarm ~~system,~~ fire

protection and life safety ~~portion and by the Board of Selectmen for the traffic and pedestrian safety portion and has been completed to the satisfaction~~ element and Office of the Planning Board of Selectmen for the traffic and pedestrian safety element). Review departments are not required to hold a public hearing for this purpose. Review departments may employ outside consultant assistance as deemed necessary.

 e. The Planning Board shall grant a special permit provided the following minimum service standards are met:

 1) Water -

There shall be sufficient water capacity to meet the flow demands of the proposed use without causing municipal water flow characteristics off site to fall below the standards adopted by the Board of Public Works.

 2) Sewer -

There shall be sufficient sewer capacity to meet the flow demands of the proposed use without causing surcharge in those sewer lines which serve the project and consistent with the standards adopted by the Board of Public Works.

 3) Storm Drainage -

There shall be sufficient storm drainage capacity to meet the flow demands of the proposed development site without causing surcharge in those storm drainage lines which serve the project and consistent with the standards adopted by the Board of Public Works.

 4) Electric -

There shall be sufficient electrical capacity to meet the peak service demands of the proposed use without causing the service in adjacent areas to fall below the standards adopted by the Municipal Light Board.

 5) Traffic ~~and~~, Pedestrian and Bicycle Safety—

~~—The level of service (LOS) of all roadways impacted by development of traffic shall be at level "C" or higher for newly constructed floor area and shall not be reduced below the present level of service for all other projects subject to PSI review if such levels of service are "C" or lower; With respect to all signalized impacted intersections, and any unsignalized impacted intersections having 50 or more PH vehicle trips on any minor approach, there shall be no degradation in the overall level of service designation to a level below the level of "C" and, if an impacted intersection is projected to operate at an overall level of service lower than "C" in a design year no-build alternative, then the proposed development~~

shall not degrade the level of service designation below the projected design year no-build levels; and

~~pedestrian~~ With respect to unsignalized impacted intersections having fewer than 50 PH vehicle trips on any minor approach, the Applicant shall undertake an evaluation to identify any specific circumstances requiring further action or mitigation, which may be the subject of negotiated improvements at the discretion of the Planning Board. For purposes of clause 1 above, the “overall level of service” for an unsignalized impacted intersection shall be considered to be the worst of the individual levels of service for each of the minor movements.

Pedestrian and bicycle circulation shall be provided in accordance with recognized safety standards; including sidewalks within ~~specified~~ a walking ~~distances~~ distance of 600 feet of the Project and any sidewalk connections within such radius to surrounding neighborhoods and to public transportation shall be provided as required by the Special Permit Granting Authority in a safe and convenient condition and consistent with standards of the Mass. Highway Project Development and Design Guide.

6) Fire Protection and Life Safety -

There shall be sufficient municipal fire alarm system capacity to meet the operating requirements of the proposed use under applicable codes, regulations and statutes enforced by the Fire Chief. There shall be off-site fire protection facilities serving the development site in the opinion of the Fire Chief meeting the needs of the project based on the intended use and occupancy including fire flow requirements, location of and access to fire hydrants and access for emergency vehicles. There shall be developed and submitted to the Fire Chief a comprehensive emergency plan which shall include an evacuation plan ~~and a shelter-in-place plan~~ satisfactory to the Fire Chief and meeting the specifications and standards adopted by the Fire Chief.

7) Refuse Disposal System -

Refuse recycling and disposal systems, consistent with the standards adopted by the Board of Public Works, shall be provided.

Negotiated improvements.

~~After completion and Planning Board~~ f. Following review of the Municipal Systems Analysis, applicants for PSI approval or the Planning Board may propose specific design alternatives and/or off-site ~~improvements~~ Negotiated Improvements to municipal facilities to meet minimum service standards.

_____ g. The Planning Board is authorized to incorporate these design alternatives and improvements as conditions in special permit PSI approval.

_____ h. The ~~required applicant shall bear all of the costs of~~ design work and ~~cost of~~ construction of all Negotiated Improvements and shall be responsible for implementation of the Negotiated Improvements and special permit approval conditions ~~shall be the full responsibility of the applicant.~~ All work proposed to improve or upgrade Town utilities or facilities shall be done according to the specifications adopted by the Board of Public Works, except that electric work shall be done according to the specifications adopted by the Municipal Light Board. ~~The applicant shall also bear the~~ cost of review of plans and ~~the cost of~~ periodic inspections of such work during construction ~~shall be the full responsibility of the applicant~~ and shall be charged in accordance with procedural requirements to be adopted and from time to time amended by the Planning Board after a public hearing.

~~Relationship of PSI procedure with Major Construction Project approval~~
Post development traffic counts, funded by the Applicant, may be required in the discretion of the Planning Board, at reasonable intervals over a period not to exceed twelve (12) months, and commencing no sooner than three months after commencement of Project operation. The purpose of this monitoring is to review the accuracy of PSI traffic projections. If at least two consecutive traffic counts no less than six months apart reflect that site-related daily traffic is more than 10 percent (10%) above the projected volume, then the Applicant shall undertake an evaluation to identify any specific circumstances requiring further action or mitigation.

_____ i. Upon the granting of a special permit by the Planning Board for a PSI the applicant is authorized to apply for site plan approval under the procedure in SECTION XVIA, ~~for Major Construction Project Approval.~~ Planning Board review of PSI application shall not substitute for Major Construction Project approval. No application shall be made for Major Construction Project ~~Approval~~approval for a PSI prior to the granting of a special permit by the Planning Board.